

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA )  
vs. ) Case No. 1:03-cr-176  
TOMMY RYALS )  
                          ) EDGAR

MEMORANDUM AND ORDER

TOMMY RYALS (“Supervised Releasee”) appeared for a hearing before the undersigned on January 27, 2011, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition for a Warrant or Summons for an Offender Under Supervision (“Petition”). Those present for the hearing included:

- (1) An Assistant United States Attorney for the Government;
- (2) Supervised Releasee; and
- (3) Attorney Lloyd Levitt for the Supervised Releasee.

After being sworn in due form of law, Supervised Releasee was informed or reminded of his privilege against self-incrimination accorded him under the Fifth Amendment to the United States Constitution. Attorney Lloyd Levitt was present as retained counsel for defendant. It was determined that Supervised Releasee had been provided with and reviewed with counsel a copy of the Petition.

The Government moved that Supervised Releasee be detained without bail pending his revocation hearing before U.S. District Judge Curtis L. Collier. Defendant waived his right to a preliminary hearing but requested a detention hearing, which was held.

Detention Hearing Proof

U.S. Probation Officer Danny Haimelin testified consistent with the petition. Supervised Releasee called Stacy Carson and made a proffer. Both parties presented their respective arguments concerning the issues of detention or release, which were fully considered by the Court.

Findings

- (1) Based upon the petition and supervised releasee’s waiver of preliminary hearing, the undersigned finds there is probable cause to believe the supervised releasee has committed violations of his conditions of supervised release as alleged in the petition.
- (2) The supervised release has not carried his burden of demonstrating that, if released, he would not pose a danger to another person or to the

community under Fed. R. Crim. P. 32.1(a)(6).

Conclusions

It is ORDERED:

- (1) Supervised Releasee shall appear for a revocation hearing before U.S. District Judge Collier.
- (2) The Government's motion that supervised release be DETAINED WITHOUT BAIL pending his revocation hearing before Judge Collier is GRANTED.
- (3) The U.S. Marshal shall transport Supervised Releasee to a revocation hearing before Judge Collier **on Thursday, February 24, 2011 at 2:00 p.m.**  
ENTER.

*s/Susan K. Lee* \_\_\_\_\_

SUSAN K. LEE  
UNITED STATES MAGISTRATE JUDGE